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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/207,136	12/08/1998	DARRYN MCDADE	97-S-159	6383

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STMICROELECTRONICS, INC.
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EXAMINER

CHIEU, PO LIN

ART UNIT PAPER NUMBER

2615

DATE MAILED: 11/19/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/207,136

Applicant(s)

MCDADE ET AL.

Examiner

Polin Chieu

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-20, 25-27 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-20, 25-27 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 4/17/03 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/207136 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8, 14-17, 19-20, 25-27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawabe et al in view of Nakai et al (5,999,698).

Regarding claim 1, Sawabe et al discloses a file reader capable of obtaining one or more encoded audio/video data streams from a data source using a file system (80, fig. 16); a file navigator that instructs the file reader (col. 18, lines 48-65); a splitter separating the encoded A/V data stream into one or more component data streams; and a reprogrammable proxy filter decoding and converting the one or more component data streams into three or more renderable signals including at least one audio signal and at least two video signals (87-95, fig. 16). However, Sawabe et al does not disclose enabling selection of a particular file on the data source and instructing the file reader to obtain a selected data stream from the data source.

Nakai et al teaches enabling selection of a particular file on the data source and instructing the file reader to obtain a selected data stream from the data source (col. 33, lines 10-21).

It would have been highly desirable to enable selection of a particular file so that the user can directly jump to a desired reproduction point.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to enable selection of a particular file in the device of Kajiyama et al.

Regarding claims 2-4 and 26-27, Sawabe et al discloses a user interface (98) connected to the file navigator for selecting a file containing the encoded A/V data stream to be obtained. However, Sawabe et al does not disclose that the user interface may be used to select the A/V signal to be obtained; the user interface comprises more than one predefined function for selecting an A/V signal to be obtained; and wherein the predefined functions are play, pause, menu, stop, previous, and next.

Nakai et al teaches a user interface selecting the A/V signal to be obtained using the predefined functions play (5c), pause (5d), menu (5n), previous (5f), and next (5f) in figure 8.

It would have been highly desirable to predefined functions supported by a user interface so that the user can control the device from far away, thereby making the device more user friendly.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have play, pause, menu, previous, and next functions on a user interface in the device of Sawabe et al.

Regarding claim 5, Sawabe et al discloses an audio data stream (93, fig. 16); a video data stream (88); a subpicture data stream (90); and a navigation data stream (95).

Regarding claim 6, Sawabe et al discloses that the file navigator is coupled to the splitter (86) such that the file navigator (100, fig. 16) can use the navigation data stream to select the file containing the encoded A/V data stream to be obtained according to one or more selection signals received from the user interface (please refer to the art rejection of claim 2).

Regarding claim 8, Sawabe et al discloses that the reprogrammable proxy filter can decode and convert a component data stream that conforms to a MPEG coding standard (col. 7, lines 13-20). Note that the claim only requires "one or more of" the coding standards to be met.

Regarding claim 14, Sawabe et al discloses a renderable audio signal (S_{add} , fig. 16); a renderable video signal (S_{vd}); and a renderable subpicture signal (S_{spd}).

Regarding claim 15, Sawabe et al discloses a mixer for combining the subpicture signal with the video signal and producing a combined signal (91, fig. 16).

Regarding claim 16, Sawabe et al discloses a reprogrammable proxy filter comprising a function for synchronizing the three or more renderable signals (col. 17, lines 30-64).

Regarding claim 17, Sawabe et al discloses an audio renderer (93) coupled to the reprogrammable proxy filter and an audio application program interface (internal hardware or software controlling audio decoding in the audio decoder), the audio renderer controlling the manipulation and rendering of an audio signal from the three or more renderable signals (col.17, lines 30-64); and a video renderer (88) coupled to the reprogrammable proxy filter and a video application program interface (internal hardware or software controlling video decoding in the video decoder), the video renderer controlling the manipulation and rendering of a video signal from the three or more renderable signals (col. 17, lines 30-64).

Regarding claim 19, Sawabe et al discloses that the data source is a digital video disk in figure 1a. However, Sawabe et al does not disclose a DVD device driver; and a DVD drive, wherein the file reader accesses the DVD through the DVD device driver and DVD drive (in other words the DVD player of Sawabe et al is a stand alone DVD player, not a DVD player in a PC computer).

Nakai et al teaches a DVD device driver (50, fig. 1); and a DVD drive (30), wherein the file reader accesses the DVD through the DVD device driver and DVD drive.

It would have been highly desirable to have a DVD device driver and a DVD drive so that the decoder is able to access data stored on a DVD.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a DVD device driver and a DVD drive in the device of Sawabe et al.

Regarding claim 20, Sawabe et al discloses a file reader capable of obtaining any of one or more encoded audio/video data streams from a data source utilizing a file system (80); a navigator (col. 18, lines 48-65); a user interface (98); a splitter (86), the navigator (100) being coupled to the splitter (80) such that the navigator can use the navigation data stream to select the encoded A/V data stream to be obtained; an audio filter (93); a video filter (88); a subpicture filter (90); a mixer (91); a synchronizing filter, an audio renderer, and a video renderer (col. 17, lines 30-64), as discussed in the previous rejections. However, Sawabe et al does not disclose enabling selection of a particular file on the data source; and that the user interface has predefined functions. Nakai et al teaches enabling selection of a particular file on the data source and having one or more predefined functions, as discussed in the art rejection of claims 1-4 and 26-27. Please refer to the art rejection of claims 1-4 and 26-27.

Regarding claim 25, Sawabe et al discloses a DVD drive (fig. 16); a file reader (80); a navigator (col. 18, lines 48-65); a splitter (86); a reprogrammable proxy filter (87-95); and a mixer combining the at least two video signals (91). The audio and video renderer were discussed in the art rejection of claim 17; and enabling the selection of a particular file on the data source was discussed in the art rejection of claim 1. Please refer to the art rejection of claims 1 and 17.

The limitations of claim 32 were discussed in the art rejection of claim 16. Please refer to the art rejection of claim 16.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sawabe et al in view of Heo et al (5,987,417).

Regarding claim 11, Sawabe et al does not disclose decoding and converting a component data stream that conforms to a Dolby AC-3 coding standard; and decoding and converting a component data stream that conforms to a PCM coding standard.

Heo et al teaches decoding and converting a component data stream that conforms to a Dolby AC-3 standard and a PCM standard (col. 22, lines 55-65). Therefore, Heo et al teaches using one or more decoding standards to decode and convert the one or more component data streams.

It would have been highly desirable to decode and convert data conforming to the Dolby AC-3 standard and a PCM standard, since A/V data is commonly stored according to the standards on DVDs.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to decode and convert data conforming to the Dolby AC-3 standard and the PCM standard in the device of Sawabe et al.

4. Claims 7, 12-13, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawabe et al in view of Heo et al and Zdepski et al (5,825,884).

Regarding claim 7, Sawabe et al discloses an audio decoder (93, fig. 16); a video decoder (88); and a subpicture decoder (90). However, Sawabe et al does not disclose that each of the audio decoder, the video decoder and the sub picture decoder may be selectively updated or replaced within the proxy filter.

Zdepski et al discloses updating the software for a decoder (col. 3, line 62 – col. 4, line 2). Therefore, it would have been obvious to update or replace any one of the decoding software.

Regarding claims 12-13 and 31, Sawabe et al does not disclose that one or more decoding standards can be added or upgraded via software.

Heo et al teaches using one or more decoding standards to decode and convert the one or more component data streams, as discussed in the art rejection of claim 11.

Zdepski et al discloses updating the software for a decoder (col. 3, line 62 – col. 4, line 2). Therefore, it would have been obvious to update or replace any one of the decoding software.

It would have been highly desirable to upgrade or add new software so that the decoder can decode changed or new formats. For example, MPEG-1 was replace by a new format MPEG-2. The software for decoding MPEG-1 could be updated or new software could be added to the CPU to allow decoding of MPEG-2.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to allow decoding standards to be upgraded or added via software in the device of Sawabe et al.

5. Claims 18 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawabe et al in view of Baumgartner et al (5,642,171).

Regarding claims 18 and 33, Sawabe et al does not disclose a sound card; an audio driver; a video graphics adapter; and a video driver.

Baumgartner et al teaches a sound card; an audio driver; a video graphics adapter; and a video driver (col. 1, lines 31-53 and col. 10, lines 40-64).

It would have been highly desirable to have a sound card; an audio driver; a video graphics adapter; and a video driver so that a DVD could be reproduced using a personal computer.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a sound card; an audio driver; a video graphics adapter; and a video driver in the device of Sawabe et al.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Saeki et al, deCarmo et al, Dinallo et al, and Murase et al disclose VOBs or VTS as files; and Reddersen et al discloses upgrading decoder software (col. 35, lines 1-18).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-Th 8:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PC
November 14, 2003


THUY TRAN
PRIMARY EXAMINER